

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)
)
vs.) CRIMINAL ACTION NO 07-00327-KD
)
BOBBY LAW, JR.)
)
Defendant.)

ORDER

This matter came before the court for a competency hearing on July 6, 2009. Defendant Bobby Law, Jr., his counsel Federal Defender Carlos Williams, and Assistant United States Attorney Michele O'Brien were present for the hearing. The Government presented the Bureau of Prison's Forensic Evaluation dated May 1, 2009, wherein the examining psychologist determined that defendant Law is now competent to stand trial. Defense counsel concurred that defendant was competent to proceed to trial. No other evidence was presented at the hearing.

A defendant shall be considered competent to stand trial if found to have "sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding" and "a rational as well as factual understanding of the proceedings against him." Dusky v. United States, 362 U.S. 402, 402, 80 S.Ct. 788, 789 (1960); Adams v. Wainwright, 764 F.2d 1356, 1359-60 (11th Cir.1985), cert. denied, 474 U.S. 1073, 106 S.Ct. 834 (1986). See also Godinez v. Moran, 509 U.S. 389, 401 n.12, 113 S.Ct. 2680, 2687 (U.S. 1993) ("the question is whether [the defendant] has the ability to understand the proceedings.").

Upon consideration of the evidence and testimony, the court adopts the opinion set forth in the psychological evaluation and finds that the defendant has the ability to understand the nature and consequences of the proceedings against him and to assist properly in his defense and

finds by a preponderance of the evidence that the defendant, Bobby Law, Jr., is competent to stand trial.

Accordingly, the trial schedule is set as follows:

PRETRIAL CONFERENCE. This matter is set for a final pretrial conference on **July 9, 2009 at 9:00 a.m.** before United States Magistrate Judge William E. Cassady.

PRETRIAL MOTIONS. The pretrial motion deadline is set for **July 15, 2009**.

TRIAL. This action is set for trial during the **August 2009** criminal term. Jury selection is scheduled for **8:45 a.m. on August 3, 2009**, at the United States District Court, 113 St. Joseph St., Mobile, Alabama 36602.

DONE and **ORDERED** this the 6th day of July, 2009.

**/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE**